

Board of Commissioners  
February 29, 2008 – 8:46 am

Meeting called to order by President Rininger. Commissioners Rininger, Logsdon, Gogel, and Board Attorney Lueken were present.

Minutes

01/28/2008 minutes; Logsdon made a motion to approve. Gogel seconded. All in favor. 02/04/2008 minutes; Gogel made a motion to approve. Logsdon seconded. All in favor. 02/04/2008 executive session minutes; Gogel made a motion to approve. Logsdon seconded. All in favor. 02/19/2008 minutes; Logsdon made a motion to approve. Gogel seconded. All in favor.

Claims

Logsdon made a motion to approve 02/29/2008 claims, 02/15/2008 payroll, and 02/29/2008 payroll. Gogel seconded. All in favor.

Emergency Plans

EMA Director Al Perdue gave the commissioners a copy of the safety plan for the courthouse. He stated that next week is National Severe Weather Awareness Week. The National Weather Service will be having a Severe Weather Drill on Wednesday, March 5<sup>th</sup> and he would like for the courthouse to participate. Gogel made a motion to have the courthouse participate in the Severe Weather Drill. Logsdon seconded. All in favor. Shelton was asked to send a notice to all courthouse offices that the drill will be on Wednesday, March 5<sup>th</sup>, between 9:30 am and 10:00 am. Perdue will put signs on the doors to make people aware of the drill.

Courthouse Doors

Perdue expressed concern over the doors being left unlocked when someone comes in early to work. Logsdon suggested he discuss the matter with the department heads in a short meeting after the drill.

Tower Donation

Perdue stated that Harmonic Electronics, Inc offered to bring both towers down, disassemble and label them, and help transport them to the highway department, in exchange for the smaller of the two towers. The only cost to the county will be for the crane rental which will be approximately \$2,100 to \$2,900. Logsdon made a

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motion to request \$2,900 from Cum Cap to pay for the cost of the crane rental. Gogel seconded. All in favor. Logsdon thanked Perdue for the work he has done.

#### Disaster Management Surveys

Rininger stated that Shelton sent a survey to each of the offices to determine how many employees and computers would be needed to keep their offices open if there was a disaster. Shelton stated she should have the data organized by the next meeting.

#### Indiana 15

Rininger stated he received information that Congressman Baron Hill is working on an earmark for the Public Safety Building which will run parallel with the grant application.

#### Homeland Security Grant

Perdue stated that he is working on a Homeland Security Grant to make each fire house in the county an Emergency Operation Center. It will be submitted as a county project and may also be submitted as a district project.

#### Animal Control Ordinance

Gogel stated that the Animal Control Board was happy with the ordinance but agreed that there is no need to pass it at this time until a building has been built and an officer has been hired. Discussion was had on the construction of the building and donated labor.

#### Property Maintenance Ordinance

Randy Vaught, a business owner in Rockport, stated that in broad terms he considers the Property Maintenance Ordinance, a “good neighbor” ordinance, which he thinks is good for the community. He stated that communities across the nation that are thriving have clear guidelines as to what can be done with property. He further stated that he believes in property owner rights, but when it places an undue burden on the others in the area these ordinances are not unreasonable. He would like to relocate and move to Spencer County, but he cannot feel reasonably comfortable that someone will not come in next to him and put up something which will affect his investment.

Nora Yeager, a resident of Richland and member of Friends of Richland (FOR), stated that she does like the ordinance. She said the FOR has been working with people who cannot afford to clean up their property, but in some cases enforcement is needed.

Dan Kincaid, the President of FOR, stated that he and the members of FOR support the ordinance.

Linda Bolton, a resident of Richland, stated that she would like to see Richland get a make over.

Rininger stated that the commissioners received a letter from the Spencer County Regional Chamber of Commerce stating that the board voted unanimously in support of the Property Maintenance Ordinance.

Lueken stated that there are still some minor changes that need to be made under the Hearing Authority section.

Logsdon stated that since a comment on the ordinance was sent to the commissioners by one of the councilmen it should be presented to the council.

Gogel questioned if the ordinance would cause an increase in legal fees. Lueken stated that he has tried to help construct the ordinance in a way which will limit legal involvement.

Discussion was had on how it would be funded to clean properties that are abandoned. Logsdon stated that many properties that are put on tax sale remain unsold. Logsdon worried about a problem being created if the county cleans up one property with county funds and not another because funds are low. He also stated he is concerned about people on low or fixed incomes, who may not be financially or physically able to clean up the property. Discussion was had on abandoned vehicles. Steinkamp stated that she feels that if a resident truly wants to keep their property clean, there are organizations who will help. Rininger stated that the problem comes when someone refuses to keep their property clean even if they are offered help. Rininger also stated that the ordinance can be adjusted later if needed. Gogel stated that he thinks the ordinance picks on the poor. Logsdon stated that one man’s junk is another man’s treasure.

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Steinkamp stated that the growth in the county is in Christmas Lake Village where ordinances like this are in place and people do not have to worry about their property value dropping. She stated that when people move into the county they move to CLV because that is the standard they are used to in the communities they are moving from.

Gogel stated he thinks the ordinance will be used more by neighbors who do not like each other then for the intended purpose.

Yeager stated that there is a strong correlation between the residents who refuse to clean up their property and methamphetamine use, and these are people you can not reach with volunteer organizations. She stated there are people who have lived their whole lives in Richland taking care of their property and now cannot move because no one will buy their property due to problems across the street. Gogel stated that he thinks in the long run it will still cause more problems then it will solve.

Logsdon stated that the leaders in the incorporated towns need to be contacted to see if they would also be in favor of enacting the ordinance if the county did, because it needs to be the whole county if enacted.

Logsdon asked to have the ordinance put on the agenda for the council meeting on March 18<sup>th</sup> and then again on the commissioner agenda for the meeting on April 7<sup>th</sup>.

Logsdon made a motion to table the Public Maintenance Ordinance until there is a public discussion with the county council at their March 18<sup>th</sup> meeting. Gogel seconded. All in favor. Logsdon encouraged Steinkamp to hold a community meeting prior to the April 7<sup>th</sup> meeting. Steinkamp will check the schedule of the Chrisney Community Center. Logsdon stated that this is a very important issue which would replace two past ordinances and he wants to make sure that there are no mistakes. Logsdon also asked Steinkamp to think about if 15 days is enough time for people to comply if a notice is issued.

Logsdon thanked the residents for coming.

Steinkamp checked the schedule for the Chrisney Community Center and a public meeting is planned for Thursday, April 3<sup>rd</sup>, at 6:30 pm.

Break in the meeting at 10:48 am.

Meeting re-convened at 10:54 am.

#### Christmas Lake Village Lots

Mark Kroeger stated that he spoke with SRI, who conducts the county commissioner sales and tax sales, and he would be in favor of having them conduct a commissioners' sale online to sell the county owned Christmas Lake Village lots. The Christmas Lake Village Board has agreed to purchase any lots which were not purchased by anyone else. He still has a concern that the lots purchased may not be able to get title insurance. Lueken explained that he does not think there should be a reason why title insurance could not be issued; it will probably depend on which underwriter is used. Shelton stated that Wetherill Law Office and other local offices have issued title insurance without a problem. Shelton will check with Wetherill Law Office to make sure they have not had a problem.

Logsdon made a motion to authorize SRI to conduct a commissioners' sale to sell the 34 county owned lots in Christmas Lake Village which did not sell at the prior commissioners' sale. Gogel seconded. All in favor.

#### Universal Design Changes

Rininger stated that another bill from Universal Design was sent to the county in the amount \$5,537.50. The charges are for the meetings attended and changes made regarding the plans for the possible Spencer County Public Safety Building. The other bills for the Public Safety Building have been paid out of COIT funds. Gogel made a motion to request an additional in the amount of \$5,537.50 from COIT funds. Logsdon seconded. All in favor.

#### Highway Report

Newtonville Radio Tower – Painter reported that the radio tower at Newtonville needed repair.

Fuel Truck Replacement – Painter has gathered some information on three possible replacements for the fuel truck, but he is waiting on warranty information. He will bring it to the next meeting.

MPW – Painter presented a copy of the letter he and Lloyd drafted to MPW regarding the use of county roads with an 8-ton load limit. Rininger stated he will hand deliver the letter.

Engineer Report

Bridge #184 - Lloyd stated that she has reviewed plans for repair of Bridge 184 and it will be scheduled for a bid opening on April 7<sup>th</sup>.

ES Wagoner – Lloyd stated that the hauling of the equipment by ES Wagoner is complete. She and Painter have inspected the roads and no additional damage to the roads was done. Lloyd recommended signing the letter of release. Logsdon stated the he also drove the road and agreed that it was ok.

Orchard Road – Lloyd also reported that the Orchard Road project is on track for the spring.

Legal Report

Appointment - Lueken stated that the Redevelopment Commission has a seat still open. He recommended Cornelius Collignon. Logsdon made a motion to appoint Cornelius Collignon to the Redevelopment Commission. Gogel seconded. All in favor.

Litigation - Lueken gave the commissioners a copy of the Motion for Release of Bond and Attorney Fees in the litigation against the Plaza Group Properties.

Mowing Bid

Rininger told Shelton to start preparing the 2008 Mowing Bids.

Logsdon made a motion to adjourn. Gogel seconded. All in favor. The meeting was adjourned at 11:33 am.

Board of Commissioners,

_____ President	_____
Attest:	
_____ Cindy Shelton, Auditor	_____

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